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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: WELDING FUME PRODUCTS
LIABILITY LITIGATION**

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**Case No. 1:03-CV-17000
(MDL Docket No. 1535)**

JUDGE O'MALLEY

ORDER

In its Second Amended Supplemental Case Management Order, the Court ordered counsel for plaintiffs to supply defendants with “fact sheets,” setting out certain information regarding each plaintiff. *See* docket no. 405 at 4. Several defendants have filed motions to dismiss various cases for failure by the plaintiffs to submit a fact sheet, as required (docket nos. 1134, 1176). After some of these plaintiffs responded to the motion by filing a fact sheet, the defendants twice amended the list of cases where they sought dismissal (docket nos. 1185, 1374).

In addition, there are also pending: (1) a motion by certain plaintiffs’ counsel to withdraw from their representation of certain plaintiffs; and (2) a motion by the same plaintiffs’ counsel for voluntary dismissal as to certain plaintiffs (docket nos. 1365, 1366). These two plaintiffs’ motions are directed at many of the same plaintiffs as were addressed in defendants’ “fact sheet motions.”

Having reviewed and reconciled all of these motions, the Court now **GRANTS** all of these motions (being docket nos. 1134, 1176, 1365, & 1366) to the extent set out below. Counsel’s motion to withdraw is **GRANTED** as to the cases shown on the attached chart. Further, the motions to dismiss are **GRANTED** as to the cases shown on the attached chart, and these cases are **DISMISSED, without**

prejudice. If a plaintiff that was the subject of one of the defendants' motions to dismiss is not listed on the attached chart, the motion to dismiss is denied because it appears the defendants have received the required fact sheet.

IT IS SO ORDERED.

s/Kathleen M. O'Malley
KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE

DATED: October 18, 2005

Plaintiff	Case No.	Motion to Withdraw	Motion to Dismiss
Alexander, David	1:03-17005		Granted
Alvarado, Michael	1:04-17156	Granted	Granted
Anderson, Bobby	1:04-17181	Granted	Granted
Anselmo, Clarence	1:03-17011		Granted
Avalos, Jesus	1:04-17179	Granted	Granted
Balfantz, Verdon	1:04-18978		Granted
Barks, William	1:04-17177		Granted
Bennett, Henry	1:04-17175	Granted	Granted
Bingham, Ricky	1:04-19137	Granted	Granted
Bowers, Legrande	1:04-17340		Granted
Broer, George	1:04-17112	Granted	Granted
Buxton, Dennis	1:04-17171	Granted	Granted
Byers, Simon	1:03-17109		Granted
Calder, Thomas	1:04-19120		Granted
Castro, Benny	1:04-17170	Granted	Granted
Ceaser, Jimmy	1:03-17179		Granted
Champagne, Herman	1:04-17169	Granted	Granted
Clark, Claiborne	1:04-17168	Granted	Granted
Colton, Jerry Jr.	1:04-18580		Granted
Cormier, Roland	1:04-17188	Granted	Granted
Cox, Donald	1:04-17233		Granted
Crocker, James	1:03-17111		Granted
Crooms, Ernest	1:04-17243		Granted
Cuellar, Ray	1:04-17187	Granted	Granted
Daniel, Charles	1:03-17108		Granted
Deen, Keith	1:04-17186		Granted
Derengowski, Robert	1:04-17150	Granted	Granted
Donald, Ada	1:03-17139		Granted
Draper, Brian	1:04-19138	Granted	Granted
Draper, Ronald	1:04-19139	Granted	Granted
Duke, Donald	1:03-17129		Granted
Dumas, Melvin	1:03-17134		Granted
Dunn, Doyle	1:04-17246		Granted
Duplesis, Octave	1:03-17142		Granted
Dupre, Malcolm	1:04-19140		Granted
Eckert, Barney	1:04-17037	Granted	Granted
Ellison, Franklin	1:04-17049	Granted	Granted
Fetterhoff, Alfred	1:04-17349		Granted

Plaintiff	Case No.	Motion to Withdraw	Motion to Dismiss
Frederick, Earl	1:03-17036		Granted
Gabriel, Harold	1:04-17204	Granted	Granted
Galvan, Armando	1:04-17106	Granted	Granted
Gibbs, Billy Sr.	1:04-17219		Granted
Graci, Benjamin	1:03-17135		Granted
Grimes, Larry	1:04-17208	Granted	Granted
Hall, Willie	1:04-17147	Granted	Granted
Hanaway, Robert	1:04-17232		Granted
Hardin, Arnold	1:03-17115		Granted
Harrison, Alvin	1:04-17237		Granted
Hawkins, Jimmy	1:03-17166		Granted
Hearn, Patrick	1:04-17044		Granted
Hicks, Benny	1:04-17145	Granted	Granted
Hopson, Jay	1:04-17213	Granted	Granted
Humphrey, Bobbie L.	1:04-18545	Granted	Granted
Hyatt, Jody	1:04-19141	Granted	Granted
Hyatt, Robert L.	1-04 19142	Granted	Granted
Jackson, Norman	1:04-17097	Granted	Granted
Janota, Chris	1;04-17139	Granted	Granted
Johnson, Eddie	1:04-17043		Granted
Johnson, Jane	1:03-17080		Granted
Koenig, Dale R.	1:04-17198	Granted	Granted
Kyte, Henry	1:04-17096		Granted
Landry, Ronald	1:03-17261		Granted
Lawson, Anthony	1:03-17128		Granted
Lennox, James	1:04-17125		Granted
Linscomb, Wayne	1:04-19143	Granted	Granted
Marcantel, Bennie	1:04-17288	Granted	Granted
McGallion, Clifton	1:04-17287	Granted	Granted
Millwood, Jamie	1:04-17254		Granted
Neely, Tomas	1:04-17014	Granted	Granted
Pate, William	1:03-17170		Granted
Porche, Orville	1:04-17193	Granted	Granted
Powell, I.D.	1:04-17192	Granted	Granted
Pratt, James	1:04-17127		Granted
Ramirez, James	1:03-17136		Granted
Ramsey, David	1:04-17360		Granted
Rhodes, Thomas	1:03-17131		Granted

Plaintiff	Case No.	Motion to Withdraw	Motion to Dismiss
Robertson, John W.	1:04-17066	Granted	Granted
Robinson, David	1:03-17138		Granted
Robinson, Milton	1:05-17069		Granted
Rodrigue, Darrin	1:04-17298	Granted	Granted
Russell, Robert	1:03-17026		Granted
Scott, Sidney	1:03-17149		Granted
Sherrod, Steven	1:04-17305	Granted	Granted
Sloan, Henry	1:04-17273		Granted
Smith, Allen	1:04-17082	Granted	Granted
Smith, Delbert	1:04-17081		Granted
Smith, Kenneth E.	1:04-17310	Granted	Granted
Staggs, Dorothy	1:04-17272		Granted
Stigall, James	1:04-17136	Granted	Granted
Thibodeaux, Justin	1:04-19144	Granted	Granted
Thomas, Percy	1:04-17311	Granted	Granted
Udycz, Eugene	1:04-17140	Granted	Granted
Vance, Arnold	1:04-17313	Granted	Granted
Vigil, Thomas	1:04-18541		Granted
Villarreal, Juan	1:04-17141	Granted	Granted
Wagley, Ronnie	1:04-17315	Granted	Granted
Waites, Richard	1:04-17265		Granted
Walker, Daniel	1:04-17072	Granted	Granted
Walters, Paul	1:04-17143	Granted	Granted
Webb, Malcolm	1:03-17177		Granted
Webster, Andrew	1:04-17317	Granted	Granted
Wellons, Clinton	1:04-17316	Granted	Granted
Wenzel, Ronald	1:04-17004	Granted	Granted
White, Gerald	1:04-17160	Granted	Granted
Williams, Douglas	1:04-17257		Granted
Williams, Ronald	1:04-17191	Granted	Granted
Wilson, Ralph	1:04-17158	Granted	Granted
Wineinger, Douglas	1:04-17190	Granted	Granted
Wooldridge, Donald	1:04-17002	Granted	Granted
Wright, Henry	1:04-17001	Granted	Granted
Wright, Jesse	1:04-17000	Granted	Granted